

**REMARKS**

The above amendment and these remarks are responsive to the Office action of 24 Mar 2006.

Claims 1, 10-13, 17, and 19 are in the case, none as yet allowed.

**35 U.S.C. 112**

Claims 11 and 12 have been rejected under 35 U.S.C. 112, second paragraph, for improper claim dependency.

Applicants have amended claim 11 to correct the dependency, and request that claims 11 and 12, which depends from claim 11, now be allowed.

END920000165US1

12

S/N 09/819,462

35 U.S.C. 103

Claims 1, 10, 12-13, 17 and 19 have been rejected under 35 U.S.C. 103(a) over Maners, U.S. Patent 6,507,826 in view of Fox et al., U.S. Patent 6,928,411.

Claim 11 has been rejected under 35 U.S.C. 103(a) over Maners in view of Fox et al. and further in view of Barnes et al., U.S. Patent 5,970,475.

Applicants traverse these rejections.

Fox et al. is cited by the Examiner under 35 U.S.C. 103 with respect to the limitation reciting a three-way match among invoice, purchase order and received goods, which is not disclosed by Maners nor Barnes. This three-way match approval of invoices received by the requisitioner matching goods/services received against invoice and purchase order before payment is made without the paper chase of prior systems.

Applicants assert that Fox et al is not prior art pursuant to 35 U.S.C. 103(c)(1).

END920000165US1

13

S/N 09/819,462

35 U.S.C. 103(c)(1) states:

"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person..."

Pursuant to 35 U.S.C. 103(c)(1) and MPEP 706.02(1)(3) Examination Procedure With Respect to 35 U.S.C. 103(c), applicants assert that the Fox et al. reference and the present application were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person(s) or organization(s). That is, both the reference and the present application were at the time the invention was made subject to an obligation of assignment to the International Business Machines Corporation, Armonk, New York.

Further, while the Office Action is not specific on this point, Fox et al., having been published as a patent in

END920000165US1

14

S/N 09/819,462

the U.S. on 9 Aug 2005 and published as an application in Germany on 12 Apr 2001, both after the filing date of the present application on 28 Mar 2001, therefore is not prior art under 35 U.S.C. 102(a), (b), (c), or (d), and could only be considered as prior art under those subsections of 35 U.S.C. 102 to which 35 U.S.C. 103(c)(1) applies.

Maners does not teach the three-way processing limitation above described, as explained in the amendment filed on or about 6 Feb 2006, and as noted by the Examiner in the present Office Action, at page 4.

Barnes et al. also does not teach the three-way processing, and is not characterized by the Examiner as doing so.

#### SUMMARY AND CONCLUSION

Applicants urge that the above amendment be entered and the case passed to issue with claims 1, 10-13, 17, and 19.

The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should

END920000165US1

15

S/N 09/819,462

differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in order that allowable claims can be presented, thereby placing the Application in condition for allowance without further proceedings being necessary.

Sincerely,

C. S. Baumann, et al.

By

  
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END920000165US1

16

S/N 09/819,462